

### **REMARKS**

After entry of this response, Claims 32-60 remain pending in the present application. Applicant respectfully requests reconsideration by the Examiner in light of the following remarks.

The Examiner has maintained the rejection of Claims 32-59 under 35 U.S.C. 102(e) as being anticipated by Park and/or Van Dam. Applicant respectfully traverses the rejections and requests a withdrawal of all rejections as set forth below.

In the present application, the detection of intrinsic ventricular activity that is indicative of the ventricles of the heart exhibiting autonomous contraction is enabled. The present application determines whether a sensed response to a delivered ventricular pacing pulse includes an autonomous intrinsic signal component and, if present, the interval between the delivered and the subsequently scheduled pacing pulse is extended as stated, for example in claim 60. Extending the interval between a previously delivered pacing pulse and a subsequently scheduled pacing pulse when the response is indicative of autonomous contraction promotes the heart's autonomous intrinsic conduction. Respectfully, neither of the applied references (alone or in combination) teaches nor suggests determining whether a sensed response to a ventricular pacing pulse includes an autonomous intrinsic signal component. Applicant has articulated the distinction between the pending claims and both references and the remarks in the preceding response to the Final Office Action are hereby incorporated in their entirety.

Furthermore, as the Examiner is well aware, a sensed event following a pacing pulse intended to capture the heart is typically classified as a paced event. The Park reference discloses sensing a purely intrinsic heart rate and this action is not even disclosed as being performed subsequent to a pacing pulse. Sensing a purely intrinsic heart rate is not synonymous with detecting an autonomous intrinsic component from a sensed event following a pacing pulse. With respect to Figure 7 in the Park reference, the figure and accompanying text are similarly devoid of a disclosure of detecting intrinsic activity present within a

sensed response to a pacing pulse. The disclosure merely addresses determining whether intrinsic atrial activity or atrial pacing is occurring so as to measure the base rate upon which the overdrive pacing rate is dependent. However, nothing in this teaching discloses detecting an intrinsic signal component within the sensed ventricular signal resulting from the delivered pacing pulse.

With respect to the Van Dam reference a V event is determined to be either a sense or a pace. However, like Park, Van Dam fails to address detecting an intrinsic signal component within a signal resulting from a delivered pacing pulse. Nor does Van Dam teach or suggest extending the interval between a previously delivered pacing pulse and a subsequently scheduled pacing pulse when the response is indicative of autonomous contraction in order to promote the heart's autonomous intrinsic conduction. Promoting the heart's intrinsic conduction eliminates or minimizes unnecessary pacing.

Consequently, Applicant respectfully requests withdrawal of the rejections to the pending claims as being anticipated by the Park and Van Dam references.

In view of the foregoing, it is submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of the application are respectfully requested.

Should any issues remain outstanding, the Examiner is urged to telephone the undersigned to expedite prosecution.

Respectfully submitted,

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Date

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